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b) a disposable suspension sling for absorbing and containing body exudates, said suspension sling having longitudinally extending suspension sling side margins, a suspension sling distal end and a suspension sling proximal end, said suspension sling being attachable to the first and second sling attachment locations of the waist belt in a manner to suspend the suspension sling in a wearer's crotch region;

wherein the waist belt is capable of encircling a user's waist with the suspension sling suspended in the wearer's crotch region.

#### REMARKS

The undersigned would like to thank the Examiner for her assistance during a telephonic interview to clarify the arguments on page 5 of the Office Action.

#### Status of the Claims

Claims 1-20 were filed in the present application. These claims have been subjected to a restriction requirement. Claims 10-12 and 18-20 have been withdrawn from consideration as drawn to non-elected inventions. Claims 1-9 and 13-17 have been rejected under various rejections. As outlined above, Claims 1 and 13 have been amended. Therefore, Claims 1-20 remain pending in this application, however, only Claims 1-9 and 13-17 are currently under consideration.

#### Rejections

Claims 1-9 and 13-17 stand rejected under 35 U.S.C. §102(b) as anticipated by Yamamoto et al., U.S. Patent No. 5,607,416

(hereinafter "Yamamoto"). Applicant respectfully traverses this rejection.

The present invention, as defined by Claim 1, relates to an integral disposable absorbent garment that may be worn about a human lower torso. The garment includes a suspension sling for absorbing and containing body exudates. The suspension sling has longitudinally extending suspension sling side margins, a suspension sling distal end and a suspension sling proximal end. The suspension sling can be suspended in a wearer's crotch region.

The garment also includes a waist belt having a first belt end secured to the suspension sling proximal end and a second belt end. The waist belt is capable of encircling a user's waist with the suspension sling suspended in the wearer's crotch region and the second belt end attached to the first belt end at the suspension sling proximal end.

The invention, as defined by Claim 13, relates to a disposable absorbent garment kit that may be worn about a human lower torso. The garment kit includes a waist belt having a first belt end, a second belt end, and a pair of sling attachment locations. The first sling attachment location is disposed proximate the first belt end, and a second sling attachment location is disposed between the first and second belt ends. The garment kit also includes a suspension sling for absorbing and containing body exudates. The suspension sling has longitudinally extending suspension sling side margins, a suspension sling distal end and a suspension sling proximal end. The suspension sling can be attached to the first and second sling attachment locations on the belt and suspended in a wearer's crotch region.

Yamamoto purports to disclose a disposable absorbent pad attached to a support member placed about a wearer's waist. The support member, such as an elastic waist band, is formed separately from the absorbent pad member, but the two elements appear to be combined in an integral article. Opposite ends of the waist band may be detachably fastened together or the waist band may have an endless fashion, a closed loop. The ends of the waist band are shown in Fig. 1 as being attached on the side of the wearer, approximately midway between the pad member ends. Indeed, Yamamoto indicates "the fastener means 13a, 13b of the waist band 2 are located so as to leave the abdominal center free" (Col. 4, lines 56-57).

The Office Action indicates that Yamamoto discloses an integral disposable absorbent garment. It appears to argue that Yamamoto discloses all of the features of Claim 1 and therefore anticipates this claim. However, the Office Action fails to point to any disclosure in Yamamoto that its waist band has a first end secured to the pad member proximal end. Thanks to the telephonic interview, it is now apparent that the Office considers that the first end of the Yamamoto waist band extends from 13b at least through the attachment of the pad member.

Applicants respectfully point out that this reference fails to anticipate Claim 1. Yamamoto teaches that it is helpful to have its waist band ends fastened at the side of the wearer (Fig. 1) and away from the abdominal center of the product (Col. 4, lines 56-57). This is in contrast from the presently claimed invention. Further, this is clear evidence that Yamamoto actually teaches away from the presently claimed invention.

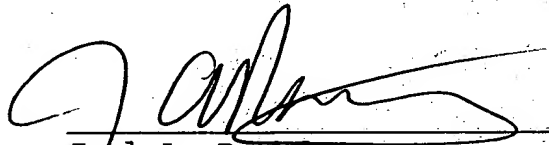
In addition, Applicant respectfully points out that Claim 13 has distinct requirements, and the Office Action fails to point to

any disclosure in Yamamoto that its waist band has a first sling attachment location proximate the first belt end and that the pad member is a separate element in a kit. Further, Yamamoto fails to teach that the pad member end is attachable to this attachment location. Therefore, this reference fails to anticipate Claim 13. In addition, Yamamoto teaches an integral article, not a kit. For this reason and for the reasons described above in reference to Claim 1, Applicants also respectfully submit that Yamamoto teaches away from the invention claimed in Claim 13.

Therefore, Applicants respectfully submit that Yamamoto fails to teach or disclose the presently claimed invention. Further Applicants respectfully point out that the disclosure of Yamamoto teaches away from the claimed invention. Reconsideration of this rejection is respectfully requested.

Applicant believes that the foregoing presents a full and complete response to the outstanding Office Action. Applicant looks forward to an early notice of allowance for this application.

Respectfully submitted,



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January 11, 2002

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Docket No.: PPC-694  
Serial No.: 09/464,582

## VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claims 1 and 10 are reproduced below, identifying the changes made.

1. (Amended) An integral disposable absorbent garment that may be worn about a human lower torso, said garment comprising:

a) a suspension sling for absorbing and containing body exudates, said suspension sling having longitudinally extending suspension sling side margins, a suspension sling distal end and a suspension sling proximal end, said suspension sling being suspendable in a wearer's crotch region; and

b) a waist belt having a first belt end secured to the suspension sling proximal end and a second belt end;

wherein the waist belt is capable of encircling a user's waist with the suspension sling suspended in the wearer's crotch region and the second belt end attached to the first belt end at the suspension sling proximal end.

13. (Amended) An absorbent garment kit that may be worn about a human lower torso, said garment kit comprising:

a) a waist belt having a first belt end, a second belt end, a first sling attachment location proximate the first

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belt end, and a second sling attachment location disposed between the first and second belt ends; and

b) a disposable suspension sling for absorbing and containing body exudates, said suspension sling having longitudinally extending suspension sling side margins, a suspension sling distal end and a suspension sling proximal end, said suspension sling being attachable to the first and second sling attachment locations of the waist belt in a manner to suspend the suspension sling in a wearer's crotch region;

wherein the waist belt is capable of encircling a user's waist with the suspension sling suspended in the wearer's crotch region.